



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WENDEROTH, LIND & PONACK, L.L.P.
1030 15TH STREET, N.W.,
SUITE 400 EAST
WASHINGTON DC 20005-1503

MAILED

OCT 07 2011

OFFICE OF PETITIONS

In re Patent No. 5,964,586	:	
Issue Date: October 12, 1999	:	
Application No. 08/817,567	:	DECISION ON REQUEST FOR REFUND
Filed: April 11, 1997	:	
Attorney Docket No. 237370/C926	:	

This is a decision on the Request For Refund filed September 13, 2011.

The request is **DISMISSED**.

A review of Office records indicates that a request under 37 CFR 1.28(c) was submitted on May 24, 2011 to change the status of the above patent application to large entity status and to accept the deficiency payment submitted with the request. On August 31, 2011, applicant submitted an additional fee deficiency payment under 37 CFR 1.28(c). Further, an Authorization To Charge Deposit Account was submitted on October 4, 2011, which states that "It is noted that the above-identified patent was no longer entitled to small entity status at the time the maintenance fees were paid. Therefore, the maintenance fees were erroneously paid as a small entity. Accordingly, the U.S. Patent and Trademark Office is authorized to charge any deficiencies related to the above error to our deposit account no. 23-0975."

In view of the above, the request for refund is dismissed. It appears that the request for refund was submitted in error. If this is an incorrect interpretation by the Office, applicant must let the Office know in writing of such.

Any questions concerning this matter may be directed to the undersigned at (571) 272-3208.

/KOC/
Karen Creasy
Petitions Examiner
Office of Petitions